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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL KIM,

Defendant.

Case No. 2:23-CR-00004-PA
ORDER OF DETENTION

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On May 25, 2023, Defendant Daniel Kim made his initial appearance on the Indictment filed in this matter. Deputy Federal Public Defender Gabriela Rivera was appointed to represent Defendant.

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At Defendant's request, the detention hearing was continued to May 30, 2023. A detention hearing was held on May 30, 2023. At the hearing, after reviewing the Indictment, the government's Notice of Request for Detention, and the Pretrial Services Report and Recommendation and hearing argument from counsel, the Court found that the government is entitled to a detention hearing under 18 U.S.C. § 3142(f)(2)(A), as the case allegedly involves a serious risk that the Defendant will flee. At the hearing,

1 Defendant rejected some of the information proffered by the government and
2 relied upon in the Pretrial Services Report and Recommendation. The Court
3 continued the detention hearing, without objection from either party, and the
4 detention hearing was held on June 2, 2023. At the hearing, the government
5 withdrew the proffer of the information to which Defendant objected. The
6 Court did not consider that information. At the hearing, the government
7 proffered the Indictment, the initial and updated Pretrial Services Reports
8 and Recommendation of detention, the search warrant (and supporting
9 affidavit) signed by a judge of the Los Angeles County Superior Court
10 (“LASC”) on September 16, 2021, for the Plaza Hotel, 1721 Cabrillo Ave.,
11 Torrance, CA 90501, Unit 212 and the Manager’s Office, and a 22-page
12 printout of certified copies of the electronic docket on file at the LASC for
13 criminal cases against Defendant. Defendant did not object to the proffer.

14 The Court has considered the following:

- 15 (1) the nature and circumstances of the offense(s) charged, including
16 whether the offense is a crime of violence, a Federal crime of terrorism,
17 or involves a minor victim or a controlled substance, firearm, explosive,
18 or destructive device;
- 19 (2) the weight of the evidence against the defendant;
- 20 (3) the history and characteristics of the defendant; and
- 21 (4) the nature and seriousness of the danger to any person or the
22 community.

23 *See* 18 U.S.C. § 3142(g). The Court also considered all the evidence
24 adduced at the hearing, the arguments of counsel, and the Reports and
25 Recommendation of Pretrial Services Agency. The Court finds that no
26 condition or combination of conditions will reasonably assure the safety of
27 any person or the community. These conclusions are based on the following:
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1 ☒ Defendant has felony convictions in 2003 for assault with a
2 firearm on a person, in 2011 for possession of a controlled substance, in 2015
3 for use of another's credit, in 2018 for transportation of a controlled
4 substance, and in 2021 for assault upon another person by means of force
5 likely to produce great bodily injury. His criminal history includes violence,
6 firearms and drugs.

7 ☒ The search warrant affidavit proffered by the government
8 describes the events that resulted in Defendant's 2021 conviction. The
9 affidavit alleges that the suspect, whom the government proffered is
10 Defendant, went to the Plaza Hotel and engaged the victim in a physical fight
11 in which Defendant stabbed the victim in the neck.

12 ☒ At the time of the offense alleged in the Indictment,
13 Defendant was on probation.

14 It is therefore ORDERED that Defendant Daniel Kim be detained until
15 trial. The defendant will be committed to the custody of the Attorney
16 General for confinement in a corrections facility separate, to the extent
17 practicable, from persons awaiting or serving sentences or being held in
18 custody pending appeal. The defendant will be afforded reasonable
19 opportunity for private consultation with counsel. On order of a Court of the
20 United States or on request of any attorney for the Government, the person
21 in charge of the corrections facility in which defendant is confined will deliver
22 the defendant to a United States Marshal for the purpose of an appearance in
23 connection with a court proceeding. See 18 U.S.C. § 3142(i).

24 Dated: June 7, 2023

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27 PATRICIA DONAHUE
28 UNITED STATES MAGISTRATE JUDGE